

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

JOHN STUART,

Defendant.

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**21-CR-07-LJV-JJM**

**NOTICE OF MOTION**

**MOTION BY:**

Jeffrey T. Bagley, Assistant Federal Public  
Defender

**DATE, TIME & PLACE:**

Before the Honorable Lawrence J. Vilardo, United  
States District Court Judge, Robert H. Jackson  
United States Courthouse, 2 Niagara Square,  
Buffalo, New York, **on the papers submitted.**

**SUPPORTING PAPERS:**

Affirmation of Assistant Federal Public Defender  
Jeffrey T. Bagley, dated June 30, 2023.

**RELIEF REQUESTED:**

Extension of Time to File Objections to Report and  
Recommendation.

**DATED:**

Buffalo, New York, June 30, 2023.

Respectfully submitted,

**/s/ Jeffrey T. Bagley**

Jeffrey T. Bagley  
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Federal Public Defender's Office  
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jeffrey\_bagley@fd.org  
*Counsel for Defendant John Stuart*

**TO:** David J. Rudroff  
Assistant United States Attorney

UNITED STATES DISTRICT COURT  
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**AFFIRMATION**

**JEFFREY T. BAGLEY**, affirms under penalty of perjury that:

1. I am an Assistant Federal Public Defender for the Western District of New York and I represent the defendant, John Stuart, in the instant matter.
2. Judge McCarthy issued a sealed Report, Recommendation, and Order on May 22, 2023. (dkt # 93).
3. Objections to the Report and Recommendation are due on July 5, 2023.
4. I request more time to draft these submissions, which raise various and complex issues.
5. Accordingly, I respectfully request a 30-day extension of time to file an objection to the Report and Recommendation.
6. Assistant U.S. Attorney David Rudroff has no objection to this request.

**DATED:** Buffalo, New York, June 30, 2023.

Respectfully submitted,

**/s/ Jeffrey T. Bagley**

Jeffrey T. Bagley

Assistant Federal Public Defender

Federal Public Defender's Office

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*Counsel for Defendant John Stuart*

**TO:** David J. Rudroff  
Assistant United States Attorney